

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ORANGEBURG DIVISION

Andrew Hayes, )  
Plaintiff, ) C.A. No. 5:15-cv-4486-JMC  
v. ) **CONSENT MOTION TO AMEND  
ANSWER**  
St. Matthews Police Department and )  
Michael Smalls, Jr., individually, )  
Defendants. )  
\_\_\_\_\_  
)

Defendants move the Court for an Order permitting amendment of the answer filed in this matter on November 30, 2015. The reason for the motion is to allow assertion of the partial exemption to overtime in the Fair Labor Standards Act, which is found at 29 U.S.C. § 207(k) and the regulations issued thereunder. Plaintiff consents to the motion, as indicated below, and the motion is within the time provided for in the Scheduling Order. A proposed Order is submitted for the Court's consideration.

**We so move:**

s/Christopher W. Johnson  
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ATTORNEYS FOR DEFENDANTS

Dated: December 28, 2015

**We consent:**

s/Timothy O. Lewis  
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Dated: December 28, 2015